

Transit Center Zoning District

Section 740 – Transit Center Zoning District

Section 741 – Purpose

The purpose of the Transit Center zoning district (TC) is to provide for high density residential, commercial and office uses in an area around the Front Runner and TRAX Light Rail stations to take advantage of multi-modal transportation opportunities. The TC encourages compact, mixed use, pedestrian-oriented development near transit stops. Carefully planned mixed uses, including residential, neighborhood oriented commercial, and restaurant space, provide increased opportunities for transit use and pedestrian activity. The TC District is established to preserve and encourage the pedestrian character of commercial areas and to promote street life and activity by regulating building orientation and design and accessory parking facilities while prohibiting certain high impact and automobile-oriented uses. The success of the TC District is facilitated by site and community design guidelines that:

- Encourage high quality, compact development and increase the number of residents and workers within walking distance of transit opportunities;
- Encourage a mix of high quality residential, office, commercial, live-work, open space, entertainment, recreation, public and institutional land uses;
- Coordinate the urban design and streetscape elements in order to create a distinct visual quality for the area;
- Manage parking and access in a manner that enhances pedestrian safety, pedestrian mobility and quality urban design; and
- Encourage a safe, attractive and comfortable environment for the pedestrian and bicyclist by providing public open spaces, public pedestrian walkways, wide sidewalks, bike lanes, street furniture, pedestrian scale lighting, street trees and other appropriate amenities.

Section – 742 Transit Center Areas

The TC District is centered on the planned Front Runner and TRAX Light Rail stations located west of the Vineyard Connector alignment on the east and west sides of the existing rail line. Within the TC District is a area referred to as the TC Core Area which includes lands within the TC District that are within ¼ mile of the Front Runner and TRAX stations. The Core Area identifies those portions of the TC District that are within walking distance of the Front Runner and TRAX stations, and development within the Core Area will be designed so as to optimize the numbers of residential, office, and commercial uses within walking distance of the stations. All other areas are considered secondary areas.

Section 743 – Definitions

For purposes of this Section, the following terms shall be defined as follows:

DEVELOPMENT PARCEL: A lot or contiguous lots under the control of a single development entity.

PRINCIPAL STREET: A collector or arterial street.

RENOVATION: Physical modification to a building that involves the entire building or has a substantial visual impact on the building or the surroundings. By way of illustration, renovation includes, without limitation, overall building design, exterior facades, site landscape and parking.

Section 744 – Procedures

1. Application.

Prior to any development with the TC Zoning District, a Development Plan (DP) shall be reviewed and approved by the Town Council upon recommendation by the Planning Commission pursuant to the procedures established in Figure 7-1.

2. Development Plan. An applicant shall submit a detailed development plan which shall include the following:

2.1. Proposed name of the development.

2.2. Name, address, and telephone number of the property owner and applicant.

2.3. Legal description.

2.4. Description of the proposed land use areas and the specifications including use standards of each area including:

2.4.1. Proposed dwelling unit type, total land area, and maximum density of residential use areas.

2.4.2. Proposed uses other than residential, total land area, and maximum floor area ratios associated with commercial or industrial uses.

2.4.3. Proposed public streetscape and private open space improvements and their relationship to the overall development.

2.4.4. Building heights, minimum lot areas, and setbacks.

2.4.5. A description of architectural theme colors and type of exterior building materials for each structure or group of structures in the MDP.

2.4.6. A description of the landscaping treatment, plant materials, fences, walls, and other open space improvements.

2.4.7. Proposed location of any arterial, collector, or local streets.

2.4.8. Proposed location and use of all lands proposed to be dedicated for public purpose including parks, storm water retention areas, and school sites.

2.4.9. Master water, sewer, and drainage plans.

3. Project Narrative.

3.1. The applicant shall submit a statement describing the terms and conditions under which the property will be developed and maintained subsequent to development. Such statements shall include any conditions, performance standards, and other reasonable restrictions as may be necessary to ensure the development and maintenance of the property in accordance with the approved development plan.

- 3.2. The applicant shall submit a description of the objectives to be achieved by the development concept. The statement shall include, but is not limited to:
- 3.3. The manner in which the proposed development meets or exceeds the intent of the PAD district.
- 3.4. The proposed architectural and site design concepts including style, colors, and type of materials, placement of structures to maximize views and take advantage of the site's natural characteristics.
- 3.5. Specific concepts by which the proposed development will make an orderly transition from existing or planned adjacent development including varied setbacks and facade treatment, open space elements, screening of parking areas, and landscaping of public or private open spaces and recreational facilities.
- 3.6. The purpose of this narrative is to provide a clear and concise statement for the review process to ensure a better understanding of the proposed development concept.
4. Site Plans. Upon approval of a development plan, a site plan or each building shall be submitted for review and approval in accordance with Section 1400.
5. Time Schedule for Development. The applicant shall include a tentative schedule for the phasing of the development. The statement shall include the type of development, density, floor area ratios for each phase of the development, and shall be accompanied by a map designating the phases and sequence of development.
6. Amendments
 - 6.1. Minor Amendments
 - 6.1.1. Minor Amendments are allowed for a maximum of ten percent (10%) of any individual Development Plan element to adjust the location of uses shown on the Development Plan and to achieve a more suitable development plan.
 - 6.1.2. Minor amendments do not include an increase in the maximum building height or exception to the building height; or residential density or non-residential intensity.
 - 6.1.3. Minor amendments to the MDCP may be approved by the Town Planner.
7. Major Amendments
 - 7.1. Major amendments are those that increase the maximum allowable building height, residential density, non-residential intensity, and/or that exceed ten (10) percent of an individual MDCP plan element.
 - 7.2. Approval of any major amendments will require review approval of the Town Council upon a recommendation from the Planning Commission.
8. Findings.

The Planning Commission shall base its recommendation and the Town Council shall find that the Development Plan application is consistent with the purpose of the TC district. The Commission evaluation shall include land use mixture, land use categories, land use intensities, and the proposed development standards.

Section 745 – Use Regulations

1. Permitted Uses.

Permitted uses shall be those identified under the TC district in Table 32-3 Table of Allowed Uses in Non Residential Zoning Districts.

2. Conditional Uses.

Conditional uses shall be those identified under the TC district in Table 32-3 Table of Allowed Uses in Non Residential Zoning Districts.

3. Accessory Uses.

Uses which are customary and incidental to the principal use of the property as approved by the Town Planner.

4. Accessory Buildings

Accessory buildings which do not in aggregate have a footprint greater than twenty five percent (25%) of the footprint of the main buildings on a development parcel are permitted.

5. Prohibited Uses.

5.1. Any use not listed in Table 32-3 Table of Allowed Uses in Non Residential Zoning Districts shall be prohibited.

5.2. The following uses, which may be otherwise permitted, accessory, or conditional in other areas of the TC District, are prohibited in the TC Core Area:

5.2.1. Surface parking lots

5.2.2. Drive-through

5.2.3. Gasoline pumps

5.2.4. Automobile-related businesses such as gasoline stations, repair shops, automobile rental, and tire shops and similar uses.

Section 746 – Development Standards

Except as identified below all development standards shall be established within the approval process including residential density, lot sizes, building setbacks, required yards, etc.

1. Project Characteristics.

All projects within the TC district shall have the following characteristics:

1.1. Multiple buildings which may accommodate one or more uses;

1.2. More than one land use within the project;

1.3. Buildings on the site connected by internal streets and drives, and pedestrian connections and pathways; and,

1.4. At least one major public space, such as a plaza, park, town square, or other public gathering space.

1.5. Vertical mixed use buildings within the core area and horizontal mixed uses in secondary areas.

2. Minimum Acreage:

The minimum acreage required for a Development Plan shall be ten (10) acres; provided, however, that a parcel of less than ten (10) acres may be approved, subject to compliance with all provisions of this ordinance and approval by the Town Council.

3. Residential

3.1. The minimum residential density within core areas is twelve (12) units per acre. Vertical mixed use is required in the core area.

3.2. The residential density in secondary areas is four (4) to twelve (12) units per acre and the average density is eight (8) units per acre. The decision to allow densities higher than four (4) units per acre is at the discretion of the Town Council based on the merits of the development plan.

4. Non-Residential

The overall intensity of non-residential uses shall not exceed 0.8 floor area ratio. The Town Council may approve intensity greater than 0.8 floor area ratio upon finding that adequate infrastructure exist to support the project.

5. Building Height

5.1. Main buildings in the TC Core Area and that front on a principal street shall have a minimum building height of three (3) stories). There is no maximum building height.

5.2. The maximum allowable building height in secondary areas shall be forty-eight (48) feet. The maximum number of stories shall be three (3) stories.

6. Setbacks

6.1. For development within the TC Core Area, the maximum front setback for main buildings, excepting courtyards and plazas, shall be fifteen feet (15').

6.2. All other setbacks shall be determined as part of the development plan except as follows:

- Arterial – 25 feet
- Collector – 20 feet
- Local – 15 feet

6.3. These areas shall be landscaped in accordance with Section 736 below.

6.4. Maintenance buildings, trash collection and recycling areas, storage and service areas, mechanical equipment and loading docks shall not be permitted within the front setback of any building, and must be set back a minimum of twenty five feet (25') beyond the closest front setback.

6.5. Parking structures shall have a front setback of twenty feet (20') from the back of curb and gutter.

6.6. Surface parking lots shall have a minimum setback of twenty five feet (25') from the back of curb.

7. Trash collection and recycling areas, service and storage areas, mechanical equipment and loading docks shall be screened on all sides so that no portion of such areas are visible from the adjacent public streets, courtyards, plazas, alleys and adjacent properties. Screening shall have a minimum height of eight feet (8') and may include accessory buildings, shrubbery and plantings, decorative walls, solid fences, screen panels, doors, topographic changes, buildings or any combination of the above.

8. Open Space

All projects shall provide open space within the development as follows:

- 8.1. At least one major public space, such as a plaza, park, town square, or other public gathering space. These spaces should be also be designed and located for substantial public use. The public gathering space should include a significant public amenity, such as water features and/or public art.
- 8.2. A private outdoor living space shall be provided adjoin each dwelling unit equal to a minimum of five (5) percent of the floor area of the dwelling unit.
- 8.3. A minimum of fifteen (15) percent of the site area of the residential development shall be set aside as common open space for recreation uses.
- 8.4. A minimum of ten (10) percent of the site area of the non-residential development shall be set aside as common open space. Such areas shall be used for public plaza areas, outdoor seating areas, or other areas approved by the Town Planner.
- 8.5. All open space areas shall be owned and maintained by a property owners association.

Section 747 – Parking

1. Parking shall be provided as required as determined by the Town Planner.
2. Parking is not permitted in the front setback area of any building.
3. No parking lot or parking structure shall front on a principal street.
4. On street parking adjacent to the development parcel shall count toward the minimum parking required provided that the on street parking shall be subject to any restrictions imposed by the Town.

Section 748 – Landscaping

A common landscape theme shall be established for each Development Plan. All landscaping, including materials and quantities, shall be installed in accordance with the provisions of the Zoning Ordinance.

Section 749 – Design Guidelines

The Town Council shall adopt design guidelines. Property located within the TC shall be developed in conformance with the provisions set forth herein and with the guidelines. In the event that a project is proposed prior to adoption of design guidelines, an applicant may propose and the Town Council may approve, design guidelines that address, including but not limited to: architectural style and character, landscaping, lighting, etc.